

HALL COUNTY BOARD OF SUPERVISORS MEETING FEBRUARY 26, 2002

CALL TO ORDER – The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION – Invocation was given by Rev. Martin Schmidt with Trinity Lutheran Church.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Pamela Lancaster, and Lonnie Logan. Bud Jeffries was absent. Also present were County Attorney Jerry Janulewicz and representatives from the *Grand Island Independent* and KRGI.

9:00 A.M. INTRODUCTION OF LEAH ANNE LAURITSEN, FAMILY VIOLENCE COALITION OF CENTRAL NEBRASKA - Bob Humiston Introduced Leah Anne Lauritsen as the new Executive Director of the Family Violence Coalition. Ms Lauritsen stated that she is from Big Springs, Nebraska and graduated from Kearney State College. She has worked for the family violence coalition and she presented information to the board members on the function of the Family Violence Coalition.

CONSENT AGENDA - Arnold made a motion and Eriksen seconded to approve the following items by consent agenda:

1. Accept and place on file the minutes of the February 12 meeting
  2. 5 Accept the committee report to set the public hearing for the 1&6 Road program for March 12 a6 9:45 a.m.
  3. 7 Approve the Resolution #02-0016 for United Nebraska Bank for Exchange of Collateral for \$550,000.00
  4. 23 Accept and place on file the office reports from the County Attorney, Clerk of the District Court, Register of Deeds
  5. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
  6. 25 Accept and place on file communications as received
- Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and one voted no with Jeffries absent. Motion carried.

OFFICE REPORT  
REGISTER OF DEEDS  
JANUARY 2002

DOCUMENTARY STAMP FEES	\$ 4,763.43
RECORDING FEES	23,050.50
PHOTO FEES	4,069.00

OFFICE REPORT  
CLERK OF THE DISTRICT COURT  
JANUARY 2002

FEES & INTEREST ON ACT #2-200-4	\$3,550.00
INTEREST EARNED ON ACT #114-0090191	1.30

2a EXECUTIVE SESSION TO DISCUSS LITIGATION BROSTROM VS HALL COUNTY BOARD OF EQUALIZATION 2b EXECUTIVE SESSION PELLAND VS HALL COUNTY BOARD OF EQUALIZATION BEVERLY BROSTROM – Arnold made a motion and Eriksen seconded to go into executive session regarding 2a Brostrom vs Hall County Board of Equalization and 2b Pelland vs Hall County Board of Equalization. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and one voted no with Jeffries absent. Motion carried.

9:13 a.m. executive session on items 2a and 2b

9:18 a.m. Arnold made a motion and Humiston seconded to go out of executive session.

9:20 Arnold made a motion and Eriksen seconded to go back in executive session. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no. Motion carried. Lancaster excused herself from the executive session.

9:25 a.m. Eriksen made a motion and Humiston seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and one voted no with Jeffries absent. Motion carried.

Arnold made a motion and Eriksen seconded to set the value for the Beverly Brostrom property at \$144,480.60 or \$60.00 dollars a square foot and request County Attorney Jerry Janulewicz to offer to settle these cases. This will be for the 2000 and 2001 protests. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and one voted no with Jeffries absent. Motion carried.

Arnold made a motion and Eriksen seconded to set the value of the Lancaster property at \$226,875.00 or \$55.00 a square foot. Arnold, Eriksen, Hartman, Humiston and Logan all voted yes and Lancaster abstained. Jeffries was absent. Motion carried.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation and no one responded. Lancaster stated that she would like to recognize Jason Harper, a 4H member who was recognized by Prudential Outstanding Student as a distinguished finalist. Jason is a junior in high school and he has presented environmental workshops for students.

4 DISCUSS AND TAKE ACTION ON INTERLOCAL AGREEMENT FOR CENTRAL DISTRICT HEALTH DEPARTMENT – Eriksen provided a copy of the revised interlocal agreement with proposed revision on page 2 concerning how the board members will be selected. Eriksen stated that he would like to refer this to County Attorney Jerry Janulewicz for his review. Eriksen made a motion and Logan seconded to refer this agreement to County Attorney Jerry Janulewicz for review. Arnold questioned if page three was missing. Discussion was held on the appointment of the district health board members. Hartman stated that he understood there would be two representatives from each county two from the city and then the public representatives. The public representatives are to be selected by the county board. Logan stated this process needs to be clarified in the new document. Sonja Simpson stated that they used the previous interlocal agreement and added the new statutory provision regarding the district health department. She stated that this is not the most recent document and it need to be corrected. The vote on the motion to refer this to the county attorney was

taken. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no. Motion carried.

Lancaster stated that she received a letter from the health department regarding the expenditures. She would like to refer this back to the building and grounds committee and long range planning to come back with a recommendation so formal action can be taken at the next meeting. This is not on the agenda and this will need board approval. Discussion was held on the costs that were itemized in the letter and the board questioned where the amounts came from. Ms. Simpson stated that she did not know how the moving costs were arrived at and the letter came from one of the board members. The architect provided an estimate of \$414,000.00 for the remodeling and there may be additional costs for the furnishings. This will be referred back to the committee.

5a 9:45 A.M. GRAVEL BIB OPENING – The following bids were opened:

BIDDER	PROJECT #1	PROJECT #2	PROJECT #3	PROJECT #4	PIT PRICE
Lilly Sand & Gravel Bid Bond	NO BID	\$28,335.00	NO BID	\$14,505.00	\$3.50YD
H&M Sand & Gravel Bid Bond	NO BID	\$28,260.00	NO BID	\$15,810.00	\$3.70YD
Hooker Bros Gravel Bid Bond	\$19,238.30	NO BID	\$43,010.10	NO BID	\$2.80TN
Bruner Sand&Gravel Bid Bond	NO BID	NO BID	\$37,835.90	NO BID	\$3.50YD
Island Landhandlers Bid Bond	\$18,587.50	NO BID	NO BID	NO BID	\$2.75TN

Logan made a motion and Humiston seconded to refer the bids to the Public Works Director. They will meet and come back with a recommendation. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no. Motion carried.

Chairman Lancaster called for a five-minute break.

Returned to regular session.

10:00 A.M. ASPHALT OVERLAY BID OPENING – The following bids were read:

BIDDER	AIRPORT RD	SKYPARK RD	HUSKER HWY	SCHULTZ	PLATTE RIVER
JIL ASPHALT BID BOND TOTAL	\$39,018.00	\$15,389.25	\$61,689.75	\$40,700.00	\$39,941.75 NOT TIED \$193,738.75
GARY SMITH CO BID BOND TOTAL	\$34,893.40	\$13,580.05	\$56,838.45	\$37,660.50	\$37,380.65 TIED \$180,353.05

Logan made a motion and Hartman seconded to refer the bids to the public works director. They will come back with a recommendation. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no. Motion carried.

**6 REGIONAL PLANNING DIRECTOR CHAD NABITY UPDATE ON COMPREHENSIVE DEVELOPMENT PLAN** – Regional Planning Chad Nabity was present to update the board on the comprehensive development plan. JEO Consultants have been hired to do the work and the date for Hall County to start on the county portion of the plan is March 21. Mr. Nabity is requesting that the board appoint a steering committee and determine a place to meet for the work on the county's portion of the plan. He is requesting 12 to 15 people be appointed to serve on the steering committee and would like to have three county board supervisors on the committee so Hall County can have input on the plan. The entire cost of the plan will be \$218,000.00 and Hall County's share is \$13,800.00, which has already been paid. The commission received a \$100,000.00 grant to help with the funding for the project. They have scheduled 20 meetings for Hall County to complete their portion of the plan and Mr. Nabity stated he feels that this will allow enough time. If additional costs are incurred, those costs will be assessed back to the county. Lancaster requested a copy of the agreement and Mr. Nabity stated he would provide one. Lancaster stated she will make the appointments at the next meeting and she asked the board members that are interested in serving on the committee to let her know.

**8 LONG RANGE PLANNING COMMITTEE RECOMMENDATION – DISCUSS SCHEDULING DURRANT TO MAKE FINAL PRESENTATION ON JAIL** – Eriksen stated that the long-range planning committee met and discussed moving forward on the jail issue. Part of the discussion was to have Durrant review the final report and make recommendations from that report. Logan stated that he has talked to Barney Bishop with Durrant and they hope to schedule a meeting March 6<sup>th</sup> or 7<sup>th</sup>. Discussion was held and the board also selected March 26<sup>th</sup> or 27<sup>th</sup> as alternate dates. If a work-study session is held the meeting will need to be advertised 5 days prior to the meeting date. Logan stated he would check on the dates that Durrant would be available.

**9 EXECUTIVE SESSION – DISCUSS LITIGATION OF TORT CLAIM OF K. GARCIA**  
**10 EXECUTIVE SESSION – PERFORMANCE EVALUATIONS** Arnold made a motion and Humiston seconded to go into executive session regarding items 9 and 10. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

10:18 a.m. executive session on tort claim from K. Garcia  
10:19 a.m. completed executive session on tort claim  
10:20 a.m. executive session on performance evaluation  
10:22 a.m. completed executive session on evaluation

10:22 a.m. Arnold made a motion and Eriksen seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

**9a ACTION ON TORT CLAIM** – Logan made a motion and Humiston seconded to deny the tort claim from K. Garcia. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

10 PERFORMANCE EVALUATION – Logan made a motion and Humiston seconded to refer the personnel evaluation to the personnel committee and the employees. . Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

12 COMMENCE THE AUDIT OF THE MONTHLY CLAIMS AND ACTION ON CLAIM AUDIT – The Board members reviewed the claims and Logan made a motion and Humiston seconded to approve the claims as audited. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

8 LONG-RANGE PLANNING PRESENTATION ON JAIL – Logan made a motion and Eriksen seconded to authorize County Clerk Marla Conley to advertise the work-study session for the presentation from Durrant when a date is set. Logan will contact her when he receives information from Durrant.

15 DISCUSSION AND RECOMMENDATION FOR REFEREES FOR 2002 PROTEST PERIOD – County Assessor Jan Pelland was present and stated she reviewed the contract from last year with Great Plains Appraisal and the resolution approving the referee system and also had it reviewed by County Attorney Jerry Janulewicz. She stated she would like to start the informal hearings June 10<sup>th</sup> through the 14<sup>th</sup>, which is earlier so there will be time to finish the work before the formal hearings are started. The contract lists seven individuals that will be working on the project. She requested that the board approve the resolution for the using the referee system and approve the contract with Great Plains Appraisal.

Lancaster stated that she would like to refer this matter to the assessor committee because of the concern on a conflict of interest. The appraisal firm represents the assessor on her work and then assists the county board with the hearing process. Pelland stated that she knows the board has concerns on this, but the appraisers must abide by there code of ethics. When they are working in the assessor's office they are using the mass appraisal approach and when they work for the county board they are using the fee appraisal approach. They must address specific property and specific situations. This is not a conflict because they use two different approaches. Lancaster stated that this does clarify the work that is done but she has concerns on the comparable properties that are used. Lancaster stated she would like to refer this to the committee. Pelland questioned if this would come back for approval because this contract and the resolution are usually approved by April 1. Lancaster stated this would be on the agenda in two weeks.

Logan made a motion and Arnold seconded to refer this to the assessor committee and come back at the next meeting with a recommendation. Pelland stated that she would provide a copy of the contract to the committee.

COUNTY BOARD ASSISTANT'S REPORT – Board Assistant Stacey Ruzicka included the progress report in the packets. She said that in the *Grand Island Independent* on February 19 there was an article concerning the parking ramp at First and Locust Street it stated that there might not be free parking from now on. This would affect county employees and also customers at the Hall County Court House. She questioned if the board may want to consider this.

BOARD MEMBER'S REPORTS – Hartman stated he did not have a report.

Humiston – He attended the computer committee meeting, the grievance committee meeting and the annual Economic Development Corporation meeting.

Eriksen – He stated that the long-range planning committee met twice and he attended a joint meeting with the city. He also had a health board meeting.

Logan – He attended the building and grounds committee meeting, the long-range planning meeting, the computer committee meeting and the public defender meeting.

Arnold – He attended the long-range planning meeting, the Economic Development Corporation annual meeting, the grievance committee meeting and the public defender meeting. At the public defender meeting they discussed the public defender's office withdrawing from every fifth felon case. This case would then have a court appointed attorney. Since then they have received another letter and they will withdraw from one in every four felony cases. The committee asked Mr. Piccolo to keep the committee up to date in case they need to expand his staff. They hope the caseload is temporary and not long term situation because this will increase the county costs for the court appointed attorneys.

Lancaster – She attended the computer committee meeting, the grievance committee meeting, the public defender meeting and the long-range planning meeting. She said she attended the open house for Pat Mader and encouraged every one to stop and see the Plum Street Station. They did an excellent job on the restoration of the building. She also attended the Economic Development annual meeting and reported that the County received a Partner for Progress Plaque for the NPPD project at CAAP. She also attended the Convention Visitors Bureau meeting and they are working on some adjustment at the Caboose Information Center.

Public Work Director Marsha Medbery read the committee report accepting the following gravel bids and the pit prices:

Project #1	Island Landhandlers	Total Bid \$18,587.50
Project #2	H&M Equipment	Total Bid \$28,260.00
Project #3	Bruner Sand & Gravel	Total Bid \$37,835.90
Project #4	H&M Equipment	Total Bid \$15,810.00

Discussion was held that the bid from H&M Equipment was not the low bid. The committee will review this and get the correct total.

Marsha Medbery, Public Works Director returned with the bids on the asphalt bid openings. The bids were awarded to the following companies:

The committee recommended awarding the asphalt bid to Gary Smith Construction with a total bid of \$180,353.05. Logan made a motion and Humiston seconded to accept the low bid of \$180,353.05 from Gary Smith Construction and to accept the low bid for the

gravel and pit prices. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

The low bid for Project #4 for the gravel bid should be the following:

Project #4	Lilley Sand & Gravel	Total Bid \$14,505.00
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NEW OR UNFINISHED BUSINESS – Discussion was held on the public defender denying cases because of the workload. This was the agreement in the union contract and Lancaster stated that the public defender's office has been cooperative with the board.

11:00 A.M. EXECUTIVE SESSION GRIEVANCE HEARING – Arnold made a motion and Eriksen seconded to go into executive session for the grievance hearing. Arnold, Eriksen, Hartman, Humiston, Lancaster and Logan all voted yes and none voted no with Jeffries absent. Motion carried.

11:00 a.m. executive session for grievance hearing

11:20 a.m. Arnold made a motion and Humiston seconded to out of executive session. Arnold, Eriksen, Hartman, Humiston and Lancaster all voted yes and none voted no with Logan absent for the vote. Jeffries was absent. Motion carried.

11:21 a.m. Meeting adjourned. The next meeting will be March 12, 2002 at 9:00 a.m.

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Marla J. Conley, Hall County Clerk

REMINDER: The County board meetings may be viewed on GITV Cable Channel 6 and UHF Channel 56 Wednesday at 8:00 p.m. and Friday at 8:00 a.m.